

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/051,871	HAMILTON ET AL.	
	Examiner	Art Unit	
	Salvatore Cangialosi	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 8/10/05.
2.  The allowed claim(s) is/are 1-5, 8-23, 26-34.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 311003
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

  
SALVATORE CANGIALOSI  
PRIMARY EXAMINER  
ART UNIT 222

**The following is an Examiner's Statement of Reasons for Allowance**

Regarding independent claim 1, the prior art fails to show a system for electronic commerce transactions that provides for tracking the usage of rented digital assets over a computer network, including a server having an asset database, the asset database storing a digital asset, a title of the digital asset, and a server usage count for the digital asset; a computing device coupled to the server over the computer network, the computing device storing a rented digital asset downloaded from the server and an asset usage count list that includes a title of the rented digital asset and a usage count indicating the amount of usage of the rented digital asset by the computing device; a security device coupled to the computing device, the security device storing a unique identifier associated with the security device and a user key associated with the unique identifier, the server including a user information database storing a plurality of registered unique identifiers and a plurality of user keys, the server requesting the unique identifier and proof of knowledge of the user key when a computing device attempts to log on to the server in order to identify the security device, and if the security device is identified by the server, allowing the computing device to be associated with a user's data in the user information database; wherein the server:

uploads the asset usage count list from the computing device;

matches the title of the rented digital asset from the asset usage count list of the computing device with the title of the digital asset in the asset database; and adds the usage count from the asset usage count list of the computing device to the server usage count for the digital asset in the asset database of the server in the manner and complexity recited by the claims. Regarding independent claim 19 the prior art fails to show a method for electronic commerce transactions that provides for tracking the usage of a rented digital assets over a computer network, including uploading an asset usage count list from a computing device to a server, the computing device coupled to the server over the computer network, the asset usage count list including a title of a rented digital asset and a usage count indicating the amount of usage of the rented digital asset downloaded from the server by the computing device, wherein a security device is coupled to the computing device, the security device storing a unique identifier associated with the security device and a user key associated with the unique identifier, the server including a user information database storing a plurality of registered unique identifiers and a plurality of user keys, the server requesting the unique identifier and proof of knowledge of the user key when a computing device attempts to log on to the server in order to identify the security device, and if the security device is identified by the server, allowing the computing device to be associated with a user's data in the user information database; matching the title of the rented digital asset from the asset

usage count list of the computing device with a title of a digital asset stored in an asset database of the server, the asset database to store the digital asset, the title of the digital asset and a server usage count for the digital asset; and adding the usage count from the asset usage count list of the computing device to the server usage count for the digital asset in the asset database of the server in the manner and complexity recited by the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and to avoid processing delays should preferably accompany the Issue Fee. Such submissions should be clearly labeled Comments on Statement of Reasons for Allowance.

Any inquiry concerning this communication should be directed to Salvatore Cangialosi at telephone number (703) 305-1837. The examiner can normally be reached 6:30 AM to 5:00 PM, Tuesday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached at (703) 305-9768.

**Any response to this action should be mailed to:**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**or faxed to (703) 872-9306**

Hand delivered responses should be brought to

United States Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 3600 Customer Service Office whose telephone number is (703) 306-5771.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Salvatore Cangialosi*  
SALVATORE CANGIALOSI  
PRIMARY EXAMINER  
ART UNIT 222